

OMB Should Work with Agencies to Improve Congressional Review Act Compliance

The Congressional Review Act (CRA) is a federal law that gives Congress the authority to review and disapprove new regulations issued by federal agencies. The CRA was enacted in 1996 as part of the Contract with America, and it has been used by Congress to overturn a number of regulations that it found to be burdensome or unnecessary.

The CRA has been controversial since its enactment, with critics arguing that it gives Congress too much power to interfere with the regulatory process. However, supporters of the CRA contend that it is a necessary check on the power of the executive branch.

One of the key provisions of the CRA is the requirement that agencies submit new regulations to Congress for review before they can take effect. This gives Congress the opportunity to identify and disapprove any regulations that it believes are harmful.



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★★★★★ 5 out of 5



The CRA also requires agencies to prepare a cost-benefit analysis for any new regulation that is likely to have an annual economic impact of \$100 million or more. This analysis must assess the costs and benefits of the regulation, and it must be submitted to Congress along with the regulation itself.

The CRA has been used by Congress to overturn a number of regulations, including the Occupational Safety and Health Administration's (OSHA) ergonomics rule and the Environmental Protection Agency's (EPA) greenhouse gas regulations. In some cases, Congress has used the CRA to overturn regulations that were supported by a majority of the public.

The CRA is a powerful tool that can be used by Congress to oversee the regulatory process. However, the CRA has also been criticized for giving Congress too much power to interfere with the regulatory process.

One of the challenges with the CRA is that it can be difficult for Congress to review and disapprove regulations in a timely manner. The CRA requires agencies to submit new regulations to Congress for review before they can take effect. However, Congress often has a backlog of regulations to review, and it can take months or even years for Congress to take action on a regulation.

This can create a situation where agencies are able to implement regulations that have not been reviewed by Congress. This can lead to regulations that are burdensome or unnecessary, and it can also create uncertainty for businesses and individuals.

Another challenge with the CRA is that it can be difficult for Congress to assess the costs and benefits of new regulations. The CRA requires

agencies to prepare a cost-benefit analysis for any new regulation that is likely to have an annual economic impact of \$100 million or more. However, these analyses can be complex and difficult to understand, and Congress may not have the expertise to adequately evaluate them.

This can lead to situations where Congress approves regulations that are not in the best interests of the public. For example, Congress may approve a regulation that is based on a flawed cost-benefit analysis, or it may approve a regulation that is not supported by a majority of the public.

The CRA is a powerful tool that can be used by Congress to oversee the regulatory process. However, the CRA also has some limitations. Congress should work with agencies to improve the CRA and to ensure that it is used in a way that is fair and effective.

Here are some specific recommendations for how Congress and agencies can work together to improve CRA compliance:

- **Congress should provide agencies with more resources to review and analyze regulations.** Agencies often have limited resources to review and analyze regulations, and this can make it difficult for them to comply with the CRA. Congress should provide agencies with more resources so that they can adequately review and analyze regulations.
- **Congress should work with agencies to develop a more streamlined regulatory review process.** The current regulatory review process is often cumbersome and time-consuming. Congress should work with agencies to develop a more streamlined regulatory review process that will allow regulations to be reviewed and approved in a more timely manner.

- **Congress should work with agencies to improve the quality of cost-benefit analyses.** Cost-benefit analyses are an important part of the regulatory review process, but they can be complex and difficult to understand. Congress should work with agencies to improve the quality of cost-benefit analyses so that Congress can better assess the costs and benefits of new regulations.

By working together, Congress and agencies can improve CRA compliance and ensure that the CRA is used in a way that is fair and effective.



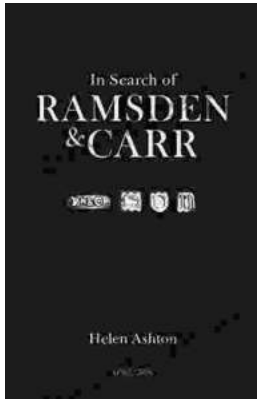
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